

Jan-27-2005 04:08pm From-

RECEIVED  
CENTRAL FAX CENTER

T-201 P.001 F-438

JAN 27 2005

Confirmation No. 9537

Customer No. 28880

PTO/SE21 (2-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages In This Submission

24

Application Number

10/677,551

Filing Date

OCTOBER 2, 2003

First Named Inventor

Barbachyn et al

Art Unit

1624

Examiner Name

Kahsay Habte

Attorney Docket Number

PC27712(formerly 01337.US1)

## ENCLOSURES (Check all that apply)

- Fee Transmittal Form  
 Fee Attached  
 Amendment/Reply  
 After Final  
 Affidavits/declaration(s)  
 Extension of Time Request  
 Express Abandonment Request  
 Information Disclosure Statement  
 Certified Copy of Priority Document(s)  
 Response to Missing Parts/Incomplete Application  
 Response to Missing Parts under 37 CFR 1.52 or 1.53

- Drawing(s)  
 Licensing-related Papers  
 Petition  
 Petition to Convert to a Provisional Application  
 Power of Attorney, Revocation  
 Change of Correspondence Address  
 Terminal Disclaimer  
 Request for Refund  
 CD, Number of CD(s) \_\_\_\_\_

- After Allowance communication to Technology Center (TC)  
 Appeal Communication to Board of Appeals and Interferences  
 Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  
 Proprietary Information  
 Status Letter  
 Other Enclosure(s) (please identify below):

## Remarks

Authorization to charge the fee and any additional fees as necessary or credit any overpayment to Deposit Account 23-0455 is hereby given.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Robert N. Young

*R. N. Young*

Signature

*[Signature]*

Date

January 27, 2005

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Diane L. Hetzler

Signature

*Diane L. Hetzler*

Date January 27, 2005

This collection of information is required by 37 CFR 1.5. No information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

USPTO Fax No. 703-872-9306

USSN: 10/677,551

Ref. No. 27712 (formerly 01337.US1)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No.: 10/677,551

Confirmation No. 9537

Applicant: Barbachyn *et al.***RECEIVED  
CENTRAL FAX CENTER**

Filing Date: October 2, 2003

**JAN 27 2005**

Art Unit: 1624

Examiner: Kahsay Habte

Docket No: 27712 (formerly 01337.US1)

Mail Stop Amendment  
Commissioner for Patent  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE UNDER 37 C.F.R. §1.111**

Dear Sir:

This communication is responsive to the non-final Office Action dated October 28, 2004. The shortened three-month statutory period is set to expire on January 28, 2005. Accordingly, applicants believe this communication is timely filed. Applicants believe that no additional fee is required for acceptance of this communication. However, should any fees be required, the Patent Office is hereby authorized to charge such fees to Deposit Account No. 23-0455. Applicants likewise believe that no extension of time is required for acceptance of this communication. However, should a petition for extension of time be required for acceptance of this communication, applicants hereby petition for any extensions of time required for timely acceptance of the papers submitted herewith under 37 C.F.R. §1.136, and authorize payment of such extension fees to Deposit Account No. 23-0455.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begin on page 3 of this paper.

**Remarks** begin on page 21 of this paper.